

**The Governor's Family Violence Council**

**Executive Order: 01.01.2012.05**

**MSAR # 9421**

**December 1, 2015**

**Submitted by: Governor's Office of Crime Control & Prevention**

**Nakita T. Long**

**410-821-2828**

**[nakita.long@maryland.gov](mailto:nakita.long@maryland.gov)**



300 E. Joppa Road, Suite 1105  
Baltimore, Maryland 21286-3016  
410-821-2828 / Toll-free: 1-877-687-9004  
Fax: 410-321-3116  
dinfo\_goccp@maryland.gov  
goccp.maryland.gov

Larry Hogan  
*Governor*

Boyd K. Rutherford  
*Lt. Governor*

Christopher B. Shank  
*Executive Director*

December 1, 2015

The Honorable Larry Hogan  
Office of the Governor  
State House  
100 State Circle  
Annapolis, Maryland 21401-1991

Dear Governor Hogan:

As required under Executive Order 01.01.2012.05, please accept the enclosed report as fulfillment of the Governor's Office of Crime Control & Prevention and the Family Violence Council requirement to produce an annual report as to the status of family violence in Maryland and recommendations for improvements to the State's activities to prevent family violence (MSAR # 9421).

Please do not hesitate to contact me if you have any questions regarding the Family Violence Council.

Sincerely,

Christopher B. Shank  
Executive Director

Enclosure

cc: The Honorable Thomas V. Mike Miller, Jr.  
The Honorable Michael E. Busch

Per Executive Order 01.01.2012.05 Governor's Family Violence Council, which amended Executive Order 01.01.2008.16, provided below is an Annual Update regarding the efforts of the Family Violence Council to date.

## EXECUTIVE SUMMARY

The Hogan Administration is committed to preventing and putting an end to domestic violence and has advocated strongly for victims of family violence by supporting the work of the Governor's Family Violence Council (Family Violence Council). The Family Violence Council, chaired by Christopher B. Shank, Executive Director of the Governor's Office of Crime Control & Prevention, has accomplished a broad range of projects to improve accountability, awareness and research in statewide family violence policy.

### I. 2015 ACCOMPLISHMENTS SUMMARY

*Abuse Intervention Programs:* In May 2015, the Family Violence Council received three applications for Abuse Intervention Program certification. The applications were reviewed by peer reviewers in June 2015 and two of the three programs were certified. There are now 36 certified programs in Maryland.

*Lethality Assessment Program:* There are 100 law enforcement agencies statewide including Baltimore City Police Department using the lethality assessments covering 99% of Maryland's population. Two hospitals in Maryland have a Lethality Assessment Program and through a Governor's Office of Crime Control & Prevention grant to the Maryland Network Against Domestic Violence, the Lethality Assessment Program was implemented into the Department of Juvenile Services, the Department of Human Resources and the Department of Public Safety and Correctional Services.

*VINE Protective Order:* VINE Protective Order trainings were held at various victim service and law enforcement agencies throughout the year. Four VINE Protective Order Webinars and four statewide training sessions were also held throughout the year. Approximately 250 people including law enforcement, parole and probation agents and victim advocates have been trained during this calendar year. As a result of these trainings, the usage of VINE Protective Order has increased over the past year from 12% to 17%.

*Legislative Enhancements:* During the 2015 Legislative Session, the Council supported key pieces of legislation that were enacted into law:

- SB 269 – Domestic Violence – Additional Relief: Expands the relief that may be awarded in a final protective order to include any other relief that a judge determines is necessary to protect a person eligible for relief from abuse.
- SB 315 – Domestic Violence – Two Year Protective Order: Specifies that a court may issue a protective order for a period not to exceed two years by consent of the respondent under specified circumstances; and authorizing a judge, under specified circumstances, to extend the term of a protective order for a specified period of time if the respondent named in the protective order consents to the extension.
- SB 477 – Domestic Violence – Persons Eligible for Relief: Alters, for specified purposes relating to domestic violence, the definition of "person eligible for relief" to include an individual who has had a sexual relationship with the respondent within one year before filing the petition; establishing a specified exception to a provision that authorizes the court to include in a final protective order a requirement that specified individuals participate in specified counseling or a domestic violence program.
- HB 263 – Domestic Violence – Permanent Protective Orders – Conspiracy or Solicitation to Commit Murder: Expands the circumstances under which a court is required to issue a permanent final protective order to include the conviction of an individual for conspiracy or solicitation to commit murder under specified circumstances.

- HB 390 – Protective Order and Peace Order Petitions – Maryland Residents: Authorizes the filing of a protective order petition if the abuse is alleged to have occurred in the State or if the person eligible for relief is a resident of the State; and authorizes the filing of a peace order petition if a specified act is alleged to have occurred in the State or if the petitioner is a resident of the State; declaring that it is the intent of the General Assembly that an order for protection issued by a court of this State shall be accorded full faith and credit by a court of another state; etc.

## **II. FAMILY VIOLENCE COUNCIL STRUCTURE AND GOALS**

### **A. Summary of Executive Order Goals**

- (1) Advise the Governor through the Executive Director of the Governor's Office of Crime Control & Prevention on matters related to family violence.
- (2) Identify and analyze State policies and programs relating to family violence, including but not limited to:
  - (a) Collecting data from State agencies relating to the prevention and reduction of domestic violence and related family violence;
  - (b) Identifying resources available to reduce and prevent family violence through a statewide coordinated effort.
  - (c) Identifying opportunities for collaboration between governmental units.
- (3) Examine, or cause to be examined, the relationship between family violence and other societal problems, including but not limited to juvenile delinquency, alcohol and substance abuse, truancy, and future criminal activity.
- (4) Identify best practices, research and information pertaining to abuser intervention and related programs.
- (5) Propose to the Governor, through the Executive Director of the Governor's Office of Crime Control & Prevention, legislative, regulatory, and policy changes to reduce and prevent the incidence of domestic violence and related family violence, to protect victims and to punish perpetrators.

### **B. Organization**

The Family Violence Council applies a framework wherein the Council members identify two to three key areas of family violence policy which are selected by a majority vote and championed by one member and a working committee of members for one year. At the culmination of study, each working group delivers expert research, recommendations, and resources for the Governor and criminal justice partners statewide.

### **C. FY 2015 Areas of Study**

#### ***1. Best Practices for Family Justice Centers***

#### **Problem Statement/Initiative**

Domestic violence is a public health crisis that demands a coordinated response to reach across all communities in Maryland and provide essential help for its victims utilizing the best practices available today. Domestic violence, also referred to as intimate partner violence or family violence, is a serious, preventable public health problem that affects millions of Americans. The term "intimate partner violence" describes physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy (<http://www.cdc.gov/violenceprevention/intimatepartnerviolence/>). The impact of domestic or intimate partner violence is great and harms the victims, entire families and the community.

According to the Centers for Disease Control & Prevention (2011), domestic violence affects more than 32 million Americans each year and costs more than \$8.3 billion in expenses annually. It is the leading cause of injury to women between the ages of 15 and 44 in the United States. The Centers for Disease Control & Prevention (2010) indicates that one in four women and one in seven men will experience domestic violence in their lifetime. Additionally, a nationally representative study from the University of Michigan indicates that one out of every five men in the United States admitted to using violence against an intimate partner (HealthDay News, 2014). Specifically, in Maryland there were 27,785 reported incidents<sup>1</sup> of domestic violence, of which 16,817 were intimate partners, in 2012 (Uniform Crime Report, 2013). Moreover, the Maryland Network Against Domestic Violence (2015) reported that there were 54 individuals who died as a result of domestic violence in Maryland from July 1, 2013 – June 30, 2014.<sup>2</sup>

Maryland currently has twenty comprehensive domestic violence programs to provide an array of services, including a 24 hour hotline, access to shelter, counseling services and advocacy. These programs serve every jurisdiction in Maryland. Nevertheless, according to a 2014 Domestic Violence Census, local domestic violence programs reported that in one day, there were 160 unmet victims' requests for services, which included legal representation, housing and financial assistance (National Network to End Domestic Violence, 2014). Despite significant strides to improve the domestic violence response and bridge the gap between victim advocates, law enforcement, prosecutors and other community partners, providing assistance for the multiple challenges faced by victims and their families continues to present significant challenges.

One solution which has gained wide support is the Family Justice Center model. Family Justice Centers refer to the co-location of staff members from multiple agencies under one roof. While a Family Justice Center may house many partners, the basic partners include police officers, prosecutors, civil legal service providers, and community-based advocates. The core concept is to provide one place where victims can go to talk to an advocate, plan for their safety, interview with a police officer, meet with a prosecutor, receive medical assistance, receive information on shelter, and get help with transportation (<http://www.familyjusticecenter.org/family-justice-centers.html>). The model has been identified as a best practice in the field of domestic violence intervention and prevention services by the United States Department of Justice ([http://www.justice.gov/archive/ovw/docs/family\\_justice\\_center\\_overview\\_12\\_07.pdf](http://www.justice.gov/archive/ovw/docs/family_justice_center_overview_12_07.pdf)).

In response to the alarming prevalence of domestic violence and challenges faced by local domestic violence agencies to meet the needs of domestic violence victims, the Governor's Family Violence Council voted to implement a workgroup to develop Best Practices for Family Justice Centers in Maryland.

## **History of Family Justice Centers**

The very first Family Justice Center was established in the city of San Diego, California in 2002. The San Diego center was able to demonstrate a 95% reduction in domestic violence homicides over its 15 year history and is hailed as a national model for comprehensive victim service and support ([http://www.justice.gov/archive/ovw/docs/family\\_justice\\_center\\_overview\\_12\\_07.pdf](http://www.justice.gov/archive/ovw/docs/family_justice_center_overview_12_07.pdf)). In 2003, the Department of Justice announced the allocation of more than \$20 million in grants to establish 15 Family Justice Centers in

---

<sup>1</sup> To conform with the new "domestically related crimes law" passed in 2012, the reported incidents included all persons eligible for relief, including both intimate partners as well as household members.

<sup>2</sup> Of the 24 adult female victims, all were killed by their intimate partner (boyfriend, ex-boyfriend, husband or ex-husband). There was one male infant killed by his father. Of the 12 adult male victims who died, three were killed by their same-sex partner or boyfriend, two were killed by their wives, and 1 was killed by his girlfriend. Additionally, two were killed by their girlfriend's ex-boyfriend, one was killed by his ex-wife's boyfriend, one was killed by his girlfriend and her friends, one was killed by his intimate partner's husband, and one man was killed by his step-father. Thirteen men and one woman committed suicide after actual or attempted murder; three men were killed by the police.

the United States. In 2005 Congress recognized the importance of the family justice center model and identified it as a “purpose area” under the Violence Against Women Act.

According to the Family Justice Center Alliance, there are currently over 80 operating Family Justice Centers or similar models and over 100 communities in some stage of planning for a Family Justice Center or similar co-located, multi-disciplinary approach across the country and around the world. In Maryland, there is an established Family Justice Center in Harford County and in Montgomery County. Prince George’s County is in the final stages of implementation for its Family Justice Center.

The Harford County Family Justice Center operates under the authority of the State’s Attorney’s Office as a cohesive unit and its onsite partner agencies include the Sheriff’s Office Domestic Violence Unit, the State’s Attorney’s Office, the Sexual Assault/Spouse Abuse Resource Center and the Child Advocacy Center. The Montgomery County Family Justice Center opened in 2009 and is under the auspices of the Sheriff’s Office. The Montgomery County Family Justice Center is a collaboration of public and private agencies including the Sheriff’s Office, State’s Attorney’s Office, County Police, House of Ruth, Inc., Catholic Charities, Abused Persons Program, Jewish Coalition Against Domestic Violence and Police Department, co-located in one space.

### **Workgroup Structure**

The Family Violence Council identified key members to establish a workgroup, “Best Practices for Family Justice Centers,” and the group members were charged with researching existing policies, and developing recommendations (“best practices”) for a coordinated community response to domestic violence. The purpose of this workgroup is to establish recommendations for Best Practices and Alternatives for Family Justice Centers Statewide. The goal is to develop a comprehensive plan that, if implemented, will aid counties throughout Maryland in developing Family Justice Centers that make victims safer, hold offenders accountable and provide wrap around services, which include mental health and long-term support for victims and their families through collaboration and coordinated services.

The workgroup convened on September 10, 2014 and has met once a month, each month thereafter with the exception of July 2015. As part of the workgroup’s research efforts, the workgroup met with the Executive Directors of the Harford County Family Justice Center and the Montgomery County Family Justice Center. Some members of the workgroup also toured these facilities. Additionally, the workgroup had a conference call with the Executive Director of the Family Justice Center in New Orleans, Louisiana.

### **Family Justice Centers in Maryland**

After researching various existing Family Justice Center models, and recognizing the diversity of each county in Maryland, the workgroup established the following definition of a Family Justice Center:

A Family Justice Center is the co-location of a multi-disciplinary, multi-agency team of professionals who work together, under one roof, to provide coordinated services to victims of family violence and abuse. While a Family Justice Center may house many partners, the core partners include police officers, prosecutors, civil legal service providers, local domestic violence providers, and service providers for children and elders. The core concept is to provide one place where victims (adults and children) can go to talk to an advocate, plan for their safety, obtain crisis intervention, short term counseling, and information about emergency shelter, interview with a police detective, meet with a prosecutor, and meet with an advocate in order to obtain a civil protective/peace order. The core providers provide linkages and referrals to other services.

In Maryland, Family Justice Centers could also provide sexual assault services, medical services, benefits/social services, longer term counseling/therapy, employment, education, housing, child care, substance abuse services, spiritual support, civil legal services, transportation, linkages to pet shelters, training, and outreach.

### **Focus Group/Needs Assessment**

Group members recognized that there is a difference between people who are in crisis and those who have survivorship needs. Therefore, in an effort to better assess what victims/survivors needs are, the workgroup conducted a focus group of victims/survivors and will conduct a survey based needs assessment of domestic violence service providers to determine if co-location and the service approach provided by the Family Justice Center model would yield improved outcomes for victims and their families.

### **Overview**

On October 22, 2015, a focus group session was held with a number of domestic violence survivors at the Howard County Savage Branch Library. The session was conducted in an effort to obtain a better understanding of the needs, gaps, and challenges faced by those who sought essential and supportive services in the aftermath of domestic abuse. Eight survivors were scheduled to participate in the session, however only four attended.<sup>3</sup> Participants represented four different jurisdictions in Maryland (Baltimore City, Anne Arundel, Carroll and Prince George's counties), and were also diverse in age (25 – 50), and race (2) African-American, (1) White; and (1) Latina. All of the participants were victimized by a former intimate partner/husband in relationships ranging from 4 to 17 years. With the exception of one, all of the participants had at least one child in common with their abuser. Two participants had an active legal case with their abuser; one shared custody with a four-year old child and was also in contact with her abuser.

Prior to starting the session, the facilitator provided an overview of the session, to include the purpose of the study, use of the information, and agreement for confidentiality. In addition, participants were given a "*Consent Form for Participation in Focus Group*" that was read and explained prior to signing. Consent forms were given to Nakita Long, Family Violence Council Coordinator, named as the Principal Investigator. The session lasted for approximately 90 minutes.

### **Participant Responses**

Participants were asked to provide candid feedback to the following preselected questions:

**1. What services did you receive?**

Participants received various services from multiple agencies to address their immediate and long-term needs to include, orders of protection, emergency shelter, legal assistance for divorce, custody and supervised visitation, and counseling.

**2. Were there any services that you needed but were unable to obtain? If so, what were they?**

While available, most of the participants (3) had trouble accessing/obtaining the services they needed. One was unable to receive counseling for her 3-year-old child who witnessed the abuse and had begun to exhibit signs of traumatization. Another participant was unable to obtain legal assistance for a divorce due to her high income level. The other participant expressed a need for legal advocacy, support and guidance after receiving a protection order.

---

<sup>3</sup> Due to the small sample size, the session provided a limited insight, and subject to generalization. As such, this information should be referred to as "preliminary findings," warranting additional input/focus group for construct validity.

**3. Did you encounter any obstacles or challenges when seeking services?**

Each participant shared stories about the obstacles and challenges they encountered when attempting to seek services. Specifically, the Latina participant talked about the language barrier and lack of understanding of the criminal justice system. In addition to the language and cultural barriers that this participant encountered, she was also unable to receive legal assistance to obtain divorce/custody and was placed on a waiting list. She made numerous calls to a local non-profit legal services provider, and was told *“her name was on the list, and that she had to wait because other clients were ahead of her.”* She didn’t speak with an attorney until approximately 30 days later.

Another participant talked about the challenges she encountered with the court. Specifically, she experienced a lack of sensitivity and education about the dynamics of intimate partner violence. When appearing before the court for a final protection order, this participant presented in a calm, non-emotional manner, and did not show visible signs of physical abuse or of being frightened of her abuser. As a result, the judge didn’t believe her account of abuse and dismissed her case. The participant subsequently made multiple attempts for protective orders as the abuse continued. This process required her to make numerous trips to court, missing many days of work. In the end, this became a financial burden for this participant who lost income every time she had to go to court. All such factors have led this participant to conclude, *“Judges are jaded.”*

Participants also expressed a need for general legal support and/or advocacy after the protective order ends in order to stay safe, and maintain and/or further establish independence. Two participants talked about efforts their abusers made to reenter their lives and resume patterns of abusive behavior to regain control of their lives.

**4. How did you first access services?**

Most clients contacted their local domestic violence service provider for services. One participant went directly to the commissioner, and another sought assistance from her church, but was unsuccessful as the pastor was unable to advise, counsel, or refer her to other services. This participant subsequently spoke to a friend that referred her to the local domestic violence agency where she was able to receive multiple supportive services.

**5. What did you find to be most helpful?**

The services that participants found to be most helpful were indicative of their unique and specific needs. For instance, concern for a child’s emotional well-being was paramount for one participant; therefore, children’s therapy/counseling was most helpful. She stated this service *“took a lot of weight off”* and that she no longer had to worry about her child. For other participants, legal assistance and counseling was vital and key to their success and ability to move on with their lives. Ongoing legal support and follow-up assistance was also cited as an essential and stabilizing component to healing and recovery. One participant stated that she felt *“empowered and secure knowing that the service provider was there for her, fighting and taking on her battle.”*

**6. What recommendations would you give to the State of Maryland to improve services to victims?**

- Better trained commissioners/judges
- Criminal justice systems (police/court records) need to talk so that information is shared and available to all parties
- Adopt policies to address cross-charges
- Additional dedicated domestic violence units/departments (police, courts, prosecutors)
- Laws to address distribution of property in non-marital domestic violence cases



- Triage cases so that all victims receive service, without regard to the “degree of severity” or level of crisis
- Additional funding to more effectively address/respond to domestic violence

**7. What would be success to you? How do you get success? Who or what would help you?**

- All victims would receive services regardless of their income (no income qualifications)
- Services are available after hours (24/7)
- Family Justice Center or facility with Family Justice Center model is available in each county; If cost prohibitive, establishment of a “tri-county model”
- More advocates for court accompaniment
- Long-term legal assistance
- Children’s counseling/therapist
- Churches are more aware of the issue/dynamics of domestic violence, and become more formal partners in current efforts to combat abuse with education, outreach and assistance with shelter/housing for emergency cases

**8. If there were one location that had a lot of different services, would that be helpful to you? What services would be the most helpful to have in one location?**

Participants unanimously agreed that the co-location of different services would not only be helpful but critically needed to ensure that their needs are met in a timely and victim-centered manner. Participants discussed the value of having someone listen to them, pay attention to their needs and then follow up with other services as needed for each individual.

Participants listed the following services that would be most helpful:

- Nursery – safe place for children to play
- Nurse – nurse’s station
- Lounge/private, comfortable area
- 24/7 access to services

## **Summary**

In all, this particular group of participants did not have a positive experience seeking services, and were very eager to discuss the challenges and obstacles they encountered throughout the process. However, as previously noted, this is a very small sample size, and is subject to generalization. Due to the fragmented nature of resources, these participants were required to contact multiple agencies, most of which had limited capacity to address their needs, ultimately turning them away with referrals to other ill-equipped organizations. In addition, the fact that criminal justice systems do not communicate with one another or share information about individual cases further exacerbated efforts to obtain support and assistance.

These participants felt that many of those with whom they came in contact with, ranging from police, court personnel and judges were insensitive, essentially “re-victimizing” them, and lowered their expectation for successful outcome. This speaks to the need for more training, oversight, and accountability of personnel working with this vulnerable population.

Finally, participants expressed a need for a uniform, collaborative process and need for an advocate to help them navigate the various systems in the beginning, as there is no “roadmap” to facilitate efforts to get through the process. Further, this support should be ongoing, as needs become greater after the granting of a protective order.

Because the Family Violence Council voted to continue the important work of the Best Practices for Family Justice Centers for an additional year, this report should be viewed as an interim report only. A final report will be issued upon completion of the comprehensive protocol.

## *2. Domestic Violence in the Presence of a Child Workgroup*

### **Problem Statement/Initiative**

In light of the overwhelming evidence regarding the costs of childhood exposure to domestic violence, and in response to the Attorney General's National Task Force's recommendation that government officials in all states develop protocols and policy responses to address the issue of Domestic Violence in the Presence of a Child, the Family Violence Council established the Domestic Violence in the Presence of a Child Workgroup in FY 2012. Due to the magnitude of the problem, the Family Violence Council voted to continue this work for FY 2013 and FY 2014. This year, legislation (SB 337/HB 306 – Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties) was passed which enhances the penalty for a defendant convicted of a crime of violence committed in a residence when the defendant reasonably should have known that a minor was within sight or hearing of the crime.

### **History of Domestic Violence in the Presence of a Child**

Children who witness domestic violence are a major national concern. According to the National Center for Children Exposed to Violence (2006), an estimated 3 to 10 million children are exposed to domestic violence every year. Extensive research over the past three decades indicates that these children are at a greatly enhanced risk for a host of social, behavioral and emotional problems. Childhood exposure to domestic violence has been linked to increased aggression, poor social skills, nightmares, symptoms of Post Traumatic Stress Disorder (PTSD), anxiety, depression, lowered academic and intellectual functioning, substance abuse, greater acceptance and approval of violence as a means of resolving disputes, and overrepresentation in the Juvenile Justice and Criminal Justice systems. According to the American Psychological Association, Presidential Task Force on Violence and the Family, "a child exposed to the father abusing the mother is at the highest risk for transmitting violent behavior from one generation to the next." The Attorney General's National Task Force on Children Exposed to Violence describes the financial costs of childhood exposure to domestic violence as "astronomical," pointing out that the "financial burden on other public systems, including child welfare, social services, law enforcement, juvenile justice, and in particular, education, is staggering when combined with the loss of productivity over children's lifetimes."

### **Workgroup Structure**

The Family Violence Council's Domestic Violence in the Presence of a Child Workgroup was charged with researching existing policies, and developing recommendations ("best practices") for a coordinated community response designed to mitigate the negative effects of childhood exposure. The goals of the workgroup were to (1) develop a systematic approach for identifying victims of childhood exposure, (2) design protocols and procedures which would decrease the trauma associated with the process of identification, and (3) aid in the identification and development of therapeutic resources for exposed children who are most in need of treatment. After meetings, the workgroup realized the magnitude of the task ahead, and decided in the interests of time and efficiency to divide into specialized subgroups. One subgroup focused on developing the portion of the protocol involving children who were identified through the operation of the criminal justice system. The other subgroup focused on children identified in the school system. In early 2014, the subgroups merged and developed a coordinated protocol.

## Law Enforcement Subgroup

The Law Enforcement Subgroup of the Domestic Violence in the Presence of a Child Workgroup focused on the development of a child focused, evidence based protocol which would be implemented when children are present at the scene of a domestic violence call for service. Currently there is no evidence-based assessment tool which can be utilized to screen for child trauma at a domestic violence crime scene. Accordingly, after much deliberation, the subgroup developed a classification and response strategy based on the collective experience of the members. The classification system consists of three tiers, which reflect the subgroup's assessment of the seriousness of the crime and the likelihood of significant or repeated trauma. Recognizing that resources are limited, the subgroup developed graduated responses based on the tier level. See chart on the next page.

<b>TIERS</b>	<b>I</b>	<b>II</b>	<b>III</b>
	Felony cases	Lethality assessment conducted with screen in	Any other domestic violence case with a child living in the home
	Child is eyewitness to assault with injury	Repeat calls (2 or more prior domestic violence calls)	
	Strangulation	Assault with injury not witnessed by child	
		Gut check for child	
<b>RESPONSES</b>			
	*Immediate team approach	Police referral to social worker/victim advocate	Brochure and Referral List
	*Forensic Interview within 24 hours	Follow-up by social worker/victim advocate as soon as possible but within 48 hours	Trained police response
	*Trauma assessment and referral		
	Brochure and Referral List	Brochure and Referral List	
	Trained police response	Trained police response	

\*A number of the phrases which appear in the chart require further explanation.

The "immediate team approach" referred to in Tier 1 will necessarily differ from one jurisdiction to another. Maryland is a very diverse state, with small densely populated areas, such as Baltimore City, as well as large,

rural, sparsely populated regions. An approach which is feasible and cost-effective in one jurisdiction, may not be so in another. Ideally this response would involve a multi-disciplinary team of law enforcement officers and specially trained victim advocates, who would respond to the crime scene in all Tier 1 cases. While the law enforcement officers conduct their investigation, the victim advocate would provide immediate services to the adult and child victims, including crisis counseling, safety planning and resource identification. In those jurisdictions in which a victim advocate may not be available to accompany the law enforcement officer, an immediate telephone contact with a victim advocate may be an acceptable substitute.

A “forensic interview” for children at least five years old is necessary because a child witness is likely to be summonsed to testify in a criminal prosecution of the case. The sooner the forensic interview is conducted, the less likely the child’s memory will fade or be tainted by outside influence. This interview should be conducted by a forensic practitioner trained in administering a recognized and evidence based forensic protocol.

There are currently at least four recognized “trauma assessment” tools in use across the country; however none deals directly with exposure to domestic violence. In the absence of a standardized tool for these cases, the subgroup strongly recommends that criteria be developed for therapists who receive referrals through this protocol. While there are at least three recognized treatment approaches for traumatized children, each requires a therapist who has completed a significant amount of training and supervision in the treatment modality.

The “brochure” which would be given to all victims in all three tiers has undergone a great deal of revision. A clinical subgroup was enlisted to provide a working draft. The draft, entitled “Fighting in the Home: Is Your Child Being Affected?” was submitted to two focus groups composed of victims of domestic violence. The focus groups were asked the following questions:

- ❖ What was your overall reaction to the brochure?
- ❖ What was most helpful about the brochure?
- ❖ Is there anything that you would change about the brochure?
  - What about the wording?
  - What about the pictures?
  - What about the title?
- ❖ Would you have any concerns if others in your household saw this brochure and read it?
- ❖ How would you feel if your children read this brochure?
- ❖ If your partner saw this brochure, would it put you in danger?
- ❖ Would you use this brochure if you and your children needed help?

While both groups found the information helpful, they were less enthusiastic about the presentation. With their comments in mind, a group of clinicians and victims of intimate partner violence met to revise the brochure which may be disseminated in a variety of locations, such as doctors’ offices, pediatric offices, social service agencies and libraries.

Finally, the workgroup recognized that the presence of law enforcement officers in the home, and the process of a criminal investigation and arrest, could be very scary for the children at the crime scene. In an effort to avoid retraumatizing children who may already be traumatized due to the abusive incident, an attempt was made to develop an acceptable “trained police response.” Members of the workgroup reviewed a number of reports and manuals published by various organizations nationwide, but found only generalized suggestions. The workgroup wanted an instruction curriculum which could be incorporated into a training video, with specific situations acted out for the viewer. The members of the workgroup were able to locate a study currently underway at the Yale Child Study Institute at Yale University in Connecticut wherein the researchers involved

in the study are attempting to develop an evidence-based best practice approach to reduce additional trauma for children involved in police investigations. After several discussions with the Yale researchers, it was agreed that Maryland would be a promising site for a pilot study of their proposal. However Maryland was not selected for this study. Members of the workgroup consulted with staff from the Maryland Police Academy, who agreed to assist with the implementation of the curriculum once it is developed. Workgroup members will meet with law enforcement officers in various jurisdictions to further develop the curriculum.

### **School Subgroup**

The School Subgroup of the Domestic Violence in the Presence of a Child Workgroup has focused on the identification of resources for children that have witnessed domestic violence, and on the possibility of law enforcement notifying the school system when a child has witnessed domestic violence. Through research completed by the workgroup, it was found that no policy or regulations exist pertaining to the sharing of information by law enforcement with the school system when a child witnesses domestic violence. It was noted that School Resource Officers are the connection between the school system and law enforcement. As such, it is the recommendation of the subgroup that the Governor's Office of Crime Control & Prevention work with the Maryland Network Against Domestic Violence to strengthen training on the topic of the effects of domestic violence on children and sensitivity training to school personnel including School Resource Officers. Additionally, the workgroup recommends that training on the effects of domestic violence be included at the following conferences:

- ❖ The Annual Child Abuse Suicide Prevention Conference; and
- ❖ The Directors of Student Services, Coordinators and Supervisors of Pupil Personnel, and School Counselors Training.

The Domestic Violence in the Presence of a Child Workgroup School Subgroup has also focused on identifying resources for children who have witnessed domestic violence. Through research completed by the workgroup, it was noted that no directory exists on where to refer children for services. It is the recommendation of the workgroup that the Maryland Statistical Analysis Center of the Governor's Office of Crime Control & Prevention develop a survey on the services that are available to children that witness domestic violence, and be circulated by members of the Family Violence Council. From the responses received from the survey, it is recommended that a directory of the services available to children be made available on the Governor's Office of Crime Control & Prevention website, and be provided to the Family Violence Council members for future dissemination.

### ***3. Abusers Not Meeting the Conditions of Court Orders***

The Abusers Not Meeting the Conditions of Court Orders Workgroup's initial focus was to determine what happens to abusers when they fail to satisfy the condition(s) of a court order. After significant discussion, the workgroup determined that it must first determine what the consequences are when an abuser fails to satisfy the term(s) of a court order. Subsequently, the workgroup concluded that to determine what is happening to offenders, it must gather data pertaining to violation of probation. As a result, this task was identified as a data project. The workgroup identified the Maryland Department of Public Safety and Correctional Services as the agency tasked with collecting data for analysis. The workgroup met with staff of Department of Public Safety and Correctional Services and reviewed their Offender Case Management System in which Parole and Probation Agents track case information on offenders. The workgroup identified data fields that they requested to be added to the Offender Case Management System to capture information related to the outcomes of abusers that have conditions imposed as a result of a court order. The data fields and related notes that were requested by the workgroup include the following:

**I. Warrant or Summons Requested**

- a. Warrant or summons requested (check one) *(make all fields below mandatory if agent checks that a warrant or summons is requested)*
- b. Date of request *(already captured)*
- c. Technical or new offense *(already captured)*
- d. If technical, nature of violation
  - i. Need Department of Public Safety and Correctional Services to create a list for a drop-down menu here, something that is comprehensive but not overwhelming e.g. “failed to meet with PO;” “failed drug test;” “failed to attend AIP;” “failed to attend drug treatment;”
  - ii. Need ability to select more than one option. Also want a “check all” option for absentee cases. Need to find out how selection of multiple options would appear in report.
- e. If new offense, offense type *(already captured)*
- f. Same victim Y/N?

**II. Response to Warrant or Summons Request**

- a. Response from court received? Check if yes. *(Make next two fields mandatory if this box is checked.)*
  - i. Date of court response
  - ii. Check one: Warrant Issued / Summons Issued / No action taken
- b. Warrant or Summons resolved w/o VOP hearing. Check if yes. *(Next questions mandatory if checked.)*
  - i. Check one: Warrant quashed *(if checked, prompt to add date quashed)*/ Case consolidated *(if checked, prompt to add case number and court)*/ Other *(if checked, prompt agent to record reason in their notes)*

**III. Violation of Probation Hearing Date**

- a. Original Hearing date: enter MM/DD/YYYY *(this is already recorded but needs to be changed so the system saves this and it does not get overwritten by subsequent postponements).*
- b. For the hearing outcomes page, it should appear to the agent as a menu with hearing dates. The agent can then click on the date and select EITHER: Postponed and Rescheduled OR Hearing Held.
  - i. If the agent selects postponed and rescheduled, prompt to enter a new hearing date. That date will then appear on the menu of dates, and agent can later select that date and choose Hearing Held or Postponed and Rescheduled.
  - ii. *In reports, we want to be able to query, for each case “how many postponements” and also “original set date” and “actual trial date.”*
- c. If the agent chooses hearing held, above, next mandatory question is Violation Found? Yes or No
- d. Add a query for Name of Judge.

**IV. Violation of Probation Hearing Outcome: No Violation Found**

If court finds NO VIOLATION, go to fields below, make all mandatory

- a. CHECK ONE: Probation continued or cased closed
- b. Any conditions removed? Y or N
  - i. If Y checked above, what conditions? Should call up a list of conditions that apply to that case, with a check box next to each, and instructions CHECK ALL THAT APPLY
- c. Any conditions added?

- i. If Y, drop-down menu of conditions.

**V. Violation of Probation Hearing Outcome: Violation Found**

If court finds there was a VIOLATION, go to fields below, make all mandatory

**a. FINDINGS**

- i. Did the court find a technical violation? Y/N
  - 1. If Y, drop down menu of technical violations, check all that apply. This list should include the option of “failure to attend an Abuser Intervention Program” *(as distinct from other types of programs like anger management)*.
- ii. Did the court find a new charge or conviction (from here forth referred to as a rule 4 violation)? Y/N
  - 1. If Y, did the Rule 4 violation involved the same victim? Y/N
  - a. If Y, drop down menu of rule 4 violations; this list should include violation of a protective order.

**b. SENTENCING**

- i. Choose one: Case Closed – Unsatisfactory / Continued (no incarceration) / Revoked (incarceration or split sentence)
- ii. If Probation continued:
  - 1. Probation term extended? Y / N
  - 2. If Y to above, credit for time served? Y / N
  - 3. New probation term end date MM/DD/YYYY
- iii. If Probation revoked
  - 1. Choose one: Incarceration only OR Split Sentence *(Incarceration with probation to follow)*
  - 2. Incarceration term (Years XX Months XX)
  - 3. Credit for time served (Years XX Months XX)
  - 4. Suspended (Years XX Months XX)
    - a. Suspended sentence extended? Y/N
    - b. If yes to above, credit for time served? Y/N *(not sure if this is needed here as it is captured under V. b.2)*
    - c. Was the length of the suspended sentence extended as a result of the VOP?
    - d. Was either the period of probation OR the length of the suspended sentence shortened at the VOP sentencing?
  - 5. End of new probation term (MM/DD/YYYY or N/A)

**c. CONDITIONS MODIFIED**

- i. Any conditions of probation removed? Y/N
  - 1. If Y, check all that apply *(pull up list of conditions that apply to the case)*
- ii. Any conditions of probation added? Y/N
  - 1. If Y, check all that apply *(list of possible conditions)*

After the requested data fields were provided to the Department of Public Safety and Correctional Services, the agency committed to making some of the requested changes to the Offender Case Management System. The workgroup was initially advised that changes would occur to the Offender Case Management System at the end of 2014; however the Department of Public Safety and Correctional Services also completed other enhancements to the Offender Case Management System and applied for a grant to roll out various modules of the system. The Family Violence Council will be advised when the requested data fields will be implemented. Once this is completed, it is the recommendation of the workgroup that the Family Violence Council track the

data in Offender Case Management System as they relate to the outcomes of offenders that have been imposed conditions on a court order, and identify any trends as they relate to the offenders who do not meet the conditions of court orders. In addition, based on the results of the data tracked, it is recommended that the Family Violence Council identify any potential reforms that justify changes to Abuse Intervention Programs. It is further recommended that the data on abusers who do not meet the conditions of court orders be consistently captured in the Offender Case Management System.

#### *4. Abuse Intervention Program Certification and Audit Process Review*

The Abuse Intervention Program Certification and Audit Process Review's workgroup's original mission was to identify barriers that hinder abuse intervention programs from meeting the Operational Guidelines for Abuse Intervention Programs as set forth by the Governor's Family Violence Council. The goal was to ensure that certified abuse intervention programs meet the Guidelines in practice and to develop a protocol for certified programs that are not in compliance with the Guidelines. After several meetings, a survey was devised and administered to direct service providers and Executive Directors of Abuse Intervention Programs in Maryland. The survey asked the following questions:

1. Which of the Operational Guidelines for Abuse Intervention Programs is most difficult for your organization to meet (victim confidentiality, intake process, victim safety, program format, program completion, program reporting responsibilities, program staffing, community collaboration, other)?
2. How many groups does your program offer per week?
3. What is the average length of time that participant is enrolled in your program?
4. What is the average number of facilitators for each group?
5. What is the average number of participants in each group?
6. What is the hourly rate of pay for your group facilitators?
7. Which abuse intervention program model does your program use and/or incorporate elements of into a curriculum?

The results of the survey helped to identify some challenges that programs faced in meeting the Operational Guidelines. As a result of the survey responses, the workgroup suggested that the Governor's Office of Crime Control & Prevention provide a Technical Assistance Training for certified programs and for programs seeking certification. The Technical Assistance Training was held on March 3, 2015. The survey also revealed that as a result of Maryland's Abuse Intervention Program's minimal operating standards, there is a great variance in the way that abuse intervention programs in Maryland operate. In order to get a better idea of the current Abuse Intervention Program practices and challenges regarding interface with the current guidelines, the workgroup invited Dr. Tara Richards, University of Baltimore, to attend a workgroup meeting. Dr. Richards suggested the potential utility of completing a process analysis in Maryland. After obtaining Workgroup consensus regarding the completion of a process analysis, Dr. Richards began collaborating with Dr. Chris Murphy, University of Maryland, who was an active participant in the committee that established the original Abuse Intervention Guidelines for Maryland, regarding the research design. Dr. Richards submitted a Bureau of Justice Assistance Grant application to the Governor's Office of Crime Control and Prevention and was awarded funding to conduct the Process Analysis. Dr. Richards and Dr. Murphy will lead the evaluation.

#### **Process Analysis of Maryland Abuse Intervention Program Policies and Guidelines**

The Process Analysis of Maryland Abuse Intervention Treatment Programs' Policies and Guidelines will identify Abuse Intervention Programs processes and content as well as perceived challenges and opportunities in order to develop best practices regarding Abuse Intervention Programs service delivery in Maryland.

**Proposed Activities:** The current project will use an evidence-based practice framework to examine the following research questions (1) What are Abuse Intervention Programs in Maryland doing, (2) What are



Maryland Abuse Intervention Programs philosophies and goals, (3) What are Abuse Intervention Programs' relationships with referral and monitoring organizations, and (4) How familiar and compliant are providers with Abuse Intervention Program guidelines?

**Project Evaluation:** Upon successful completion of the proposed research, the principal investigator and co-principal investigator will have compiled a portfolio regarding best practices on domestic violence treatment program content in Maryland.

### **III. FY 2016 AREAS OF STUDY**

Council members presented topics for the upcoming year at the July 2015 Family Violence Council meeting. After a Council vote, Stalking and Electronic Harassment Legislation was chosen as the focus topic. The members also agreed to establish an Ad Hoc Committee to work with Washington College and focus its efforts on Domestic Violence Mapping.

#### **A. Stalking and Electronic Harassment Legislation**

The purpose of this workgroup is to review the current stalking and harassment statutes to determine why they are so hard to prosecute under the statute as written, review different electronic technology that has emerged since the current statute was written, identify gaps, see what changes need to be made to the statute to make it more protective, particularly for domestic violence victims, and determine legislation.

#### **B. Domestic Violence Mapping Ad Hoc**

The purpose of this workgroup is to determine how mapping domestic violence incidents can help domestic violence programs and funders identify gaps in service areas, determine where more outreach efforts should be focused and determine what other data elements would be helpful in helping to reduce domestic violence in Maryland.

### **IV. PROGRAM UPDATES**

#### **A. VINE Protective Order:**

In an effort to increase the usage of VINE Protective Order, the Family Violence Council Coordinator conducted several trainings at various domestic violence agencies and coordinated a statewide VINE Protective Order training. The Coordinator also attended several outreach forums held throughout the state to disseminate information about VINE Protective Order. Additionally, the following language ("Do you have a Protective Order against this offender? Visit [RegisterVPO.com](http://RegisterVPO.com) to receive updates about the service status of a Protective Order.") was added to VINELINK to ensure that registered users of VINELINK are also made aware of VINE Protective Order.

#### **B. Abuse Intervention Program:**

This past May, the Family Violence Council received three applications for Abuse Intervention Program certification. Two of the three applicants were certified. There are now 36 certified programs in Maryland. No programs were audited this year. As a result of the Abuse Intervention Program Process Evaluation, the Family Violence Council voted to forego the audit and recertification process this year in an effort to obtain buy-in from certified programs.

### C. Legislative Subcommittee

The Legislative Subcommittee is responsible for helping to draft and present bills for legislation. Bills must obtain a majority vote within the Family Violence Council before being presented for legislation.

*During the 2015 Session the Council supported several key pieces of legislation that were enacted into law:*

- SB 269 – Domestic Violence – Additional Relief: Expands the relief that may be awarded in a final protective order to include any other relief that a judge determines is necessary to protect a person eligible for relief from abuse.
- SB 315 – Domestic Violence – Two Year Protective Order: Specifies that a court may issue a protective order for a period not to exceed two years by consent of the respondent under specified circumstances; and authorizing a judge, under specified circumstances, to extend the term of a protective order for a specified period of time if the respondent named in the protective order consents to the extension.
- SB 477 – Domestic Violence – Persons Eligible for Relief: Alters, for specified purposes relating to domestic violence, the definition of “person eligible for relief” to include an individual who has had a sexual relationship with the respondent within 1 year before filing the petition; establishing a specified exception to a provision that authorizes the court to include in a final protective order a requirement that specified individuals participate in specified counseling or a domestic violence program.
- HB 263 – Domestic Violence – Permanent Protective Orders – Conspiracy or Solicitation to Commit Murder: Expands the circumstances under which a court is required to issue a permanent final protective order to include the conviction of an individual for conspiracy or solicitation to commit murder under specified circumstances.
- HB 390 – Protective Order and Peace Order Petitions – Maryland Residents: Authorizes the filing of a protective order petition if the abuse is alleged to have occurred in the State or if the person eligible for relief is a resident of the State; and authorizes the filing of a peace order petition if a specified act is alleged to have occurred in the State or if the petitioner is a resident of the State; declaring that it is the intent of the General Assembly that an order for protection issued by a court of this State shall be accorded full faith and credit by a court of another state; etc.

*During the 2015 Session the Council supported several key pieces of legislation that subsequently did not pass:*

- HB 227 – Family Law- Domestic Violence – Definition of Abuse: This bill would have altered the definition of “abuse” in the protective order to include harassment, trespass, and malicious destruction of property if the person eligible for relief had not resided with the respondent for at least 7 days before the filing of the petition.
- HB 807/SB 277 – Family Law – Protective Orders – Additional Relief: This bill would have authorized a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief.
- HB 857/SB 530 – Criminal Procedure – Firearms – Transfer: This bill would require the court to order a person who is convicted of a crime of violence that is a misdemeanor “domestically related crime” to transfer all firearms owned by the person or in the person’s possession. The transfer of firearms must be made within 24 hours of the conviction to a state or local law enforcement official or to a federally licensed firearms dealer with notification to the court.

## **V. LOOKING AHEAD: GOALS FOR 2016**

In 2016, the Family Violence Council will pursue the following goals:

- Deliver recommendations for Best Practices – Family Justice Centers
- Deliver work group recommendations for Abuser Intervention Programs Certification and Audit Process Review
- Deliver work group recommendations for Abusers Not Meeting Conditions of Court Order
- Deliver final work group recommendations for Domestic Violence in the Presence of a Child
- Increase usage of Vine Protective Order by providing more training and outreach
- Build capacity of Maryland domestic violence organizations
- Advocate for key legislation: The Council is committed to developing the momentum and awareness necessary for a successful legislative session in 2016 and has already begun this process by meeting as a full council and discussing potential legislation. There are several pieces of legislation expected for the upcoming session, including:
  - *Stalking and Electronic Harassment* – Removing malice from the stalking definition and adding serious emotional harm.
  - *Peace Order* – Adding all forms of harassment and visual surveillance crimes to the Peace Order statute.
- Complete certification and review of Abuse Intervention Programs
- Identify and appoint additional members to the Council

## **FAMILY VIOLENCE COUNCIL MEMBERSHIP**

**Governor Larry Hogan**

**Boyd K. Rutherford**, Lieutenant Governor

**Christopher Shank, Chair**, Executive Director, Governor's Office of Crime Control & Prevention

**Sam Abed**, Secretary, Department of Juvenile Services

**Richard P. Barth**, Professor, University of Maryland School of Social Work

**Michaele Cohen**, Executive Director, Maryland Network Against Domestic Violence

**Michelle Fager**, Vice President/In-House Counsel, Fagers Island, Ltd.

**Debbie Feinstein**, Chief, Family Violence Division, Montgomery County State's Attorney's Office

**Jodi Finkelstein**, Executive Director, Montgomery County Commission for Women

**Brian E. Frosh**, Maryland Attorney General

**Arlene Lee**, Executive Director, Governor's Office for Children

**Dorothy J. Lennig, Esq.**, House of Ruth Maryland

**Sam Malhotra**, Secretary, Maryland Department of Human Resources

**Van T. Mitchell**, Secretary, Department of Health and Mental Hygiene

**Stephen Moyer**, Secretary, Department of Public Safety & Correctional Services

**Lisa Nitsch, MSW**, Abuse Intervention & Training Institute Manager, House of Ruth Maryland

**Colonel William M. Pallozzi**, Superintendent, Maryland State Police

**Scott Patterson**, Office of State's Attorney, Talbot County

**Akeda Pearson-Stenbar**, Victim Advocate

**Adam Rosenberg**, Executive Director, Baltimore Child Abuse Center

**Manuel Ruiz**, Program Coordinator, Family Crisis Center of Prince George's County, Inc.

**David Shultie**, Domestic Violence Law Manager, Administrative Office of the Courts

**Senator Bryan Simonaire**, Maryland General Assembly

**Jack R. Smith**, Interim Superintendent, Department of Education

**Joan Stine**, Advocate, The Family Tree

**Delegate Kriselda Valderrama**, Maryland General Assembly

**Delegate Brett Wilson**, Maryland General Assembly

**Jeanne Yeager**, Executive Director, Mid Shore Council on Family Violence

## **FAMILY VIOLENCE COUNCIL ALTERNATE REPRESENTATIVES**

---

**Patricia E. Arriaza**, Governor's Office for Children

**Captain Holly Barrett**, Maryland State Police

**Diana Cheng, M.D.**, Department of Health and Mental Hygiene

**Jeanne D. Cooper, LCSW**, Maryland Department of Human Resources

**Jessica Dickerson**, Department of Juvenile Services

**Julie Drake**, University of Maryland School of Social Work

**Ellen Grunden**, Office of State's Attorney, Talbot County

**Deena Hausner**, House of Ruth Maryland

**Lisae C. Jordan, Esq.**, Maryland Coalition Against Sexual Assault and Maryland Children's Alliance

**Christina Miles**, Montgomery County State's Attorney's Office

**John McGinnis**, Maryland State Department of Education

**Mark Newgent**, Office of Lieutenant Governor

**Justice Schisler**, Governor's Office of Crime Control & Prevention

**Carrie Williams, Esq.**, Office of the Attorney General

**David Wolinski**, Department of Public Safety & Correctional Services

